

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 1, 1964

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, April 1, 1964, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, DOW
ULLMANN and KATZAKIAN (Mayor)

Absent: Councilmen - NONE

Also present were City Manager Graves, Administrative Assistant Peterson and Attorney Bud Sullivan representing City Attorney Mullen.

Minutes of March 18, 1964 were approved as written and mailed after correcting the paragraph entitled "Lakewood Sch. Sprinkling System" by inserting the following words after the word "system" in the last sentence: "negotiations to be made for the alternate bid".

PUBLIC HEARINGS

REZONE E. OF
CHEROKEE N OF
HALE ROAD TO
C-2

ORD. NO. 761
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Katzakian opened the hearing on the proposed rezoning of certain property located 200 feet east of Cherokee Lane and immediately north of Hale Road from the R-4 multiple-family residential district to the C-2 general commercial district. City Manager Graves read the report of the Planning Commission recommending the rezoning because it would promote the desirable development of this property for commercial purposes as indicated in the Lodi General Plan. Councilman Brown moved the introduction of Ordinance No. 761 rezoning said property to C-2 as recommended. The motion was seconded by Councilman Dow. The Council discussed the problem of street access for the properties between Cherokee Lane and the Freeway. City Manager Graves reported on the studies which had been made by the Planning Director and presented the Director's proposals for development of streets in the area. He said the Planning Director had discussed the problem with several of the property owners, but because of his illness, further contacts had not been made. Mr. Arthur Perman, co-owner of the property for which the rezoning is being requested, said they had nothing definite in mind regarding full development of their property. Councilman Culbertson said he was concerned that there were no definite plans for development of the area, particularly in regard to the strip of land adjacent to the freeway. Mr. Graves said it was a common problem which would have to be worked out with the owners. After further discussion, the motion to introduce Ordinance No. 761 carried by unanimous vote.

PLANNING COMMISSION

The City Manager reported the following actions of the Planning Commission taken at its meeting of March 23:

1. Approved a use permit for the Bethel Tabernacle to construct a church on a 4.5 acre parcel at the northeast corner of Ham Lane and Sylvia Drive in the R-1 residential zone.

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2. Denied the request of Mr. William Rempfer for a use permit to erect a 4' x 8' sign at 231 South California Street in the R-3 residential zone.
3. Denied the request of the Shell Oil Company for two variances in the height limits for proposed signs at the northwest corner of Cherokee Lane and Murray Street in the C-2 Commercial zone and the southeast corner of Victor Road and the Frontage Road in the "M" industrial zone. The Commission agreed to review the sign regulations of the Zoning Ordinance.

COMMUNICATIONS

PETITION RE
CHICKENS AT
130 S. HAM

A petition was received from residents in the area of 130 South Ham Lane stating that the chickens owned by Mr. and Mrs. Jacob Hauser at the above address disturb the neighborhood and are a menace to health. The petition requested that the poundmaster be directed to impound the chickens or that the city attorney be instructed to take action to abate the public nuisance. The petition was referred to the City Manager for investigation and report on motion of Councilman Dow, Culbertson second.

SHELL OIL CO.
RE SIGNS

A communication was read from Shell Oil Company appealing the decision of the City Planning Commission in denying their request for a variance to erect a sign 73 feet high at Highway 99 and Victor Road and a sign 71 feet high at Cherokee Lane and Murray Street. Councilman Dow moved that the matter be set for public hearing at the next regular meeting. The motion was seconded by Councilman Culbertson. Mr. Graves said that with the understanding that height of signs was regulated by the zoning ordinance, the Company had requested a use permit to erect the signs since they would be more than the height limit for structures as designated in the ordinance. However, City Attorney Mullen has determined that the signs are not a structure under the ordinance and therefore the height limit does not apply to signs. Under these circumstances a variance is not required, and technically the Company could get a permit to erect the signs. Since the Planning Commission is currently studying the matter of erecting signs with a view towards amending the ordinance so as to provide regulations therefor, the City Manager has instructed the Building Department not to issue a permit for the signs at this time. Mr. George Nance, 820 South Church Street, suggested that Shell Oil Company be permitted to erect the signs. He said if this was wrong, the Council could make a law, but there is no law against the signs now, so the permit should be given. Mr. Graves said it was up to the Council to overrule his directive to hold up the permit if it wished. He said it would be an expense to the Company to put up signs which the City might require to be removed within a year or so. Before any sign regulations are adopted, a public hearing will be held by the Planning Commission and also by the City Council. Since the City Attorney had ruled that the signs do not come under the height limitations of the zoning ordinance, it was felt that no action should be taken on the appeal, and Councilman Dow withdrew his motion and Councilman Culbertson his second. It was urged

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that the Planning Commission make its study and recommendation as soon as possible.

STATE
HIGHWAYS

A notice was received from the State Division of Highways concerning its report to the 1965 Legislature on the State Highway System and the California Freeway and Expressway System. Any recommendations the City may have in this regard are to be submitted to the District X office.

ABC LICENSES

Notice was received of the following applications for alcoholic beverage licenses:

1. On sale beer and wine, Mike and Amanda Martinez, Casa Martinez, 35 N. Sacramento Street.
2. On sale beer and wine, Louis and Barga Anagnos, Club 15, 15 North Sacramento Street.

TEMPORARY
COURT
FACILITIES

City Manager Graves has received a letter from County Administrator Kenyon concerning the request of Judge Bainbridge for use of the Council Chambers to provide larger Court facilities. Since the Council had approved negotiating with the County for use of the Council Chambers as a temporary courtroom at its meeting of June 19, 1963, no action was taken.

COUNTY
PLANNING
MEETING

Mr. Graves read a notice from Planning Director Rodgers that the County Planning Association would be meeting at the Tokay Bowl on April 10 at 6:30 p.m., that an interesting film would be shown illustrating various types of suburban residential development in Europe and America, and inviting members of the Council and their wives to attend.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$127,808.45 were approved on motion of Councilman Dow, Culbertson second.

AWARD -
15 KV CABLE

The following bids were received on the 15 kv copper cable:

RES. NO. 2711	Graybar Electric	\$4,694.71
ADOPTED	Valley Electric	4,727.00
	Maydwell & Hartzell	4,876.40

Mr. Graves recommended that award be made to the low bidder. On motion of Councilman Dow, Brown second, the Council adopted Resolution No. 2711 awarding the contract for the copper cable to Graybar Electric Company for a total of \$4,694.71.

BUDGET FOR
GAS TAX FUNDS

The Fourth Amended Budget Approval for the expenditure of State-allocated Section 2107 funds was presented for Council approval. On motion of Councilman Dow, Ullmann second, the City Council adopted Resolution No. 2712 adopting said budget.

RES. NO. 2712
ADOPTEDHIGHWAY
MAINTENANCE
AGREEMENT

A revised agreement for the maintenance of State highways in the City of Lodi was presented for Council approval. On motion of Councilman Brown, Culbertson second, the Council adopted Resolution No. 2713 approving the agreement and authorizing its execution by the Mayor and City Clerk,

RES. NO. 2713
ADOPTED

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SPECS -
HAM LANE
TRUNK SEWERS

Mr. Graves presented plans and specifications for Ham Lane Trunk Sewers, both storm and sanitary. Funds for the storm sewers were approved at the March 18 Council meeting and the Public Works Department would also like approval for expenditure of an estimated \$25,000 for the sanitary lines. Councilman Culbertson moved that \$25,000 be allocated for the sanitary sewers in Ham Lane and that the plans and specifications for Ham Lane Trunk Sewers be approved and call for bids authorized. The motion was seconded by Councilman Dow and carried.

ALLOCATION
FOR SANITARY
SEWER LINESPECS -
CONCRETE PIPE

Specifications for concrete pipe were approved and call for bids authorized on motion of Councilman Brown, Ullmann second.

ORDINANCES

REZONING
916-926 S.
FAIRMONT TO C-P

ORDINANCE NO. 760, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 22 AND 23, WINDSOR TRACT, TO BE IN THE C-P COMMERCIAL-PROFESSIONAL OFFICE DISTRICT," having been introduced at the regular meeting of March 18, 1964 was brought up for passage on motion of Councilman Dow, Ullmann second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

ORD. NO. 760
ADOPTED

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

REPORTS OF THE CITY MANAGER (continued)

VICTOR RD -
FREEWAY
ON RAMP

City Manager Graves stated that the Division of Highways had found there were problems at the on and off ramps at Victor Road and the Freeway. In order to better delineate the on-ramp to the Freeway at Victor Road, the Division of Highways was requesting that the Council eliminate parking along the north side of Victor Road from a point 60 feet west of the Stockton on-ramp to a point 220 feet east of the Sacramento on-ramp. Such action would eliminate the parking stalls in front of Maco Gas Company. At the suggestion of Councilman Brown, before taking action on the request, the Council referred the matter to the City Manager to get in touch with Maco Gas Company and apprise them of the situation.

DIV. OF
HIGHWAYS-
CHEROKEE
MERCHANTS

Mr. Vernon Rastetter announced that a meeting was being held by the Division of Highways, the Streets and Highways Committee of the Chamber of Commerce and the Cherokee Lane Merchants Association at 3 p.m. on Friday, April 3, at Richmaid regarding lights, signs, etc. He invited members of the Council to attend.

DEEDS FOR HAM
LANE AND SYLVIA
DRIVE

Mr. Graves presented two deeds from Maurice O. Ray, Jr., one being for Ham Lane and the other for Sylvia Drive in the vicinity of the Alderson Convalescent Hospital. The Council had previously approved acceptance of the deed for Ham Lane right of way, but had rejected the deed for Sylvia Drive right of way because it was for a width of 20 feet, whereas a strip 27½ feet wide was needed to make half of the street width. Since that time a 7½-foot strip from the property on the north has been deeded to the City so that the deed from Mr. Ray for Sylvia Drive is now sufficient. The Public Works Department recommends acceptance of the deeds.

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On motion of Councilman Culbertson, Dow second, the Council approved acceptance of the deeds.

SPECS -
SURPLUS
GENERATORS

Specifications for the renovation and conversion of three surplus generators were submitted by the City Manager. The generators are for stand-by power at three of the City's pumps and a portion of the cost for the reconversion will be paid by the Office of Civil Defense. On motion of Councilman Culbertson, Brown second, the specifications were approved and advertising for bids thereon authorized by the City Council.

BASIN C-1
PLANS

Mr. Graves showed the Council the preliminary plans for Basin C-1 as prepared by Mr. Paul Tritenbach. He said an agreement covering the School District's portion of the basin will be worked out with the District, including a commitment on the part of the City to buy the District's portion in the event the School does not build on this site and wishes to sell the property.

MALL
POWER LINES

Councilman Culbertson said that work was being started on the Mall building and the City should be studying the possibility of having the power cable underground so that the matter could be resolved one way or another in three or four months. Mr. Graves said he would check on the matter with the Utilities Department.

There being no further business the meeting adjourned.

Attest: *Beatrice Garibaldi*
City Clerk